UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/735,087	12/12/2003	Sandra L. Kogan	IBM-004	1597

51835   7590   07/27/2010
IBM LOTUS & RATIONAL SW
c/o GUERIN & RODRIGUEZ
5 MOUNT ROYAL AVENUE
MOUNT ROYAL OFFICE PARK
MARLBOROUGH, MA 01752

EXAMINER
JARRETT, SCOTT L

ART UNIT	PAPER NUMBER
3624	

MAIL DATE	DELIVERY MODE
07/27/2010	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

PTOL-90A (Rev. 04/07)

	Application No.	Applicant(s)
Office Action Summary	10/735,087	KOGAN ET AL.
	Examiner	Art Unit	
	SCOTT L. JARRETT	3624	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on _28 June 2010_.
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) _1-7,10-12 and 18-20_ is/are pending in the application.
    4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) _1-7,10-12 and 18-20_ is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.
    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
    a)☐ All   b)☐ Some * c)☐ None of:
      1.☐ Certified copies of the priority documents have been received.
      2.☐ Certified copies of the priority documents have been received in Application No. _____.
      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

1.   This non-final office action is in response to Applicant's request for continued

examination and amendments filed June 28, 2010. Applicant's amendment amended

independent claims 1, 10 and 18. Currently claims 1-7, 10-12 and 18-21 are pending,

claims 8, 9, 13-17 and 22-29 being previously canceled.

Continued Examination Under 37 CFR 1.114

2.   A request for continued examination under 37 CFR 1.114, including the fee set

forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this

application is eligible for continued examination under 37 CFR 1.114, and the fee set

forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action

has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on Juney

28, 2010 has been entered.

Response to Amendment

3.   The 35 U.S.C. 101 rejection of claims 1-7 in the previous office action is not

withdrawn in light of applicant's amendment to claim 1. The mere recitation that an

entry is displayed on a device does not tie the method to a particular machine or

apparatus nor does it transform a particular article into a different state or thing, thereby

failing the machine-or-transformation test; therefore, claims 1-7 are non-statutory under

§ 101.

Response to Arguments

4.   The 35 U.S.C. 112(2) rejection of claim 11 is withdrawn in response to

Applicant's arguments.

Applicant's arguments filed June 28, 2010 have been fully considered but they

are not persuasive. Specifically Applicant argues that the prior art of record fails to teach

or suggest the newly recited limitations of a method/system wherein the workflow is

executed within a first application and the weblog is executed within a second

application (Last Paragraph, Page 10; Last Paragraph, Page 9; Paragraphs 3-4, Page

12); that the examiner has mischaracterized Udell (Paragraph 3, Page 12) and

traverses the official notice (Paragraph 2, Page 11).

In response to applicant's Applicant(s) attempt at traversing the Official Notice

findings as stated in the previous Office Action is inadequate. Adequate traversal is a

two step process. First, Applicant(s) must state their traversal on the record. Second

and in accordance with 37 C.F.R. 1.111(b) which requires Applicant(s) to specifically

point out the supposed errors in the Office Action, Applicant(s) must state why the

Official Notice statement(s) are not to be considered common knowledge or well known

in the art.

In this application, while Applicant(s) have clearly met step (1), Applicant(s) have

failed step (2) since they have failed to argue why the Official Notice statement(s) are

not to be considered common knowledge or well known in the art. Because

Applicant(s)' traversal is inadequate, the Official Notice statement(s) are taken to be

admitted as prior art. See MPEP 2144.03.

Additionally the examiner has provided several references supporting the

officially cited fact of enabling permissions, privileges, roles, and the like. One such

reference includes Lindhal et al., Weblogs: Simplifying Web Publishing (2003), as cited

in the office action mailed March 26, 2010:

- "Site administrators can **restrict content** production on a **per-user basis**.",

Column 3, Paragraph 1, Page 114;

- "facilities to assign **roles** and **privileges** within the blogging system.", Column

1, Last Bullet, Page 115.

- Web Crossing, Inc. Releases New Weblog Plug-in, as cited in the office action

mailed March 26, 2010 (Paragraph 1, Page 1; Paragraphs 1, 3, Page 2);

- Doctorow et al., Essential Blogging, as cited in the office action mailed March

26, 2010 (Last Three Paragraphs, Page 59; Last Paragraph, Page 60; Last Paragraph,

Page 119; Paragraphs 1, 3, Page 120; Figures 3-18, 5-25)

In response to Applicant's argument that the examiner has mischaracterized

Udell, the examiner respectfully disagrees.

Udell, Telling a Story (2001) was relied upon and does teach teach utilizing an

(separate) application (e.g. Manilla, Blogger; Paragraph3, Page 4) for posting

(submitting, sending, publishing, syndicating, etc.) an entry (data, text, etc.; e.g.

timeline, commentary, events, etc.; Bullets 1-3, Page 3; Figure on Page 3) in a weblog

("project weblog"; blog, online diary, forum, etc.) to indicate that a workflow action (task,

activity, event, etc.) has occurred (Paragraph 3, Page 2; "..underlying the webloging

movement are two technological trends – RSS headline syndication, and pushbutton

webpublishing that lay the groundwork for better ways to publicize, and monitor

activities of professional groups. " - examiner note: RSS headline syndication is the

automatic publishing of events via an RSS feed; "Last Paragraph, Page 3, "..., every

message (and every file attachment) exchanged in a project context would be captured

by default (unless marked as private)" - i.e. automatic capture and publish of events

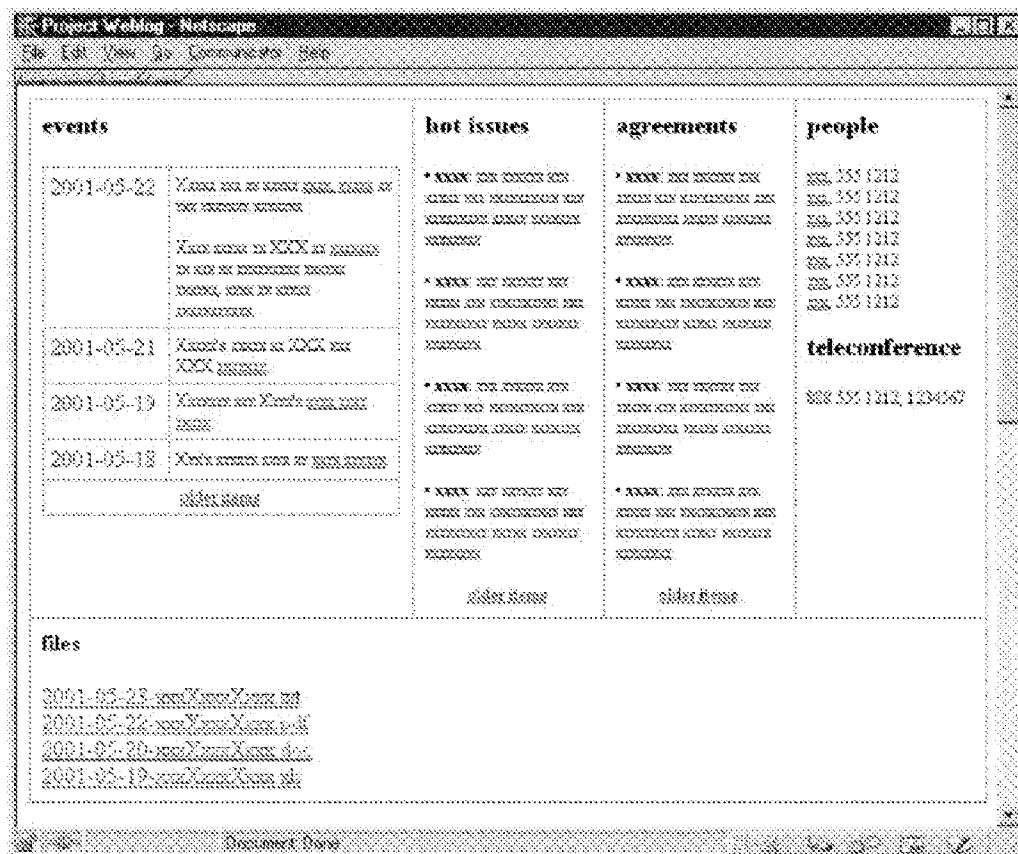within the project/workflow and access control are taught; .

Figure 1: Udell, Figure on Page 3

In response Applicant's arguments that the prior art of record fails to teach or suggest the newly recited limitations of a method/system wherein the workflow is executed within a first application and the weblog is executed within a second application the examiner respectfully disagrees.

Initially it is noted that the specification does not provide a definition for the phrase "application" therefore the term has been given its broadest reasonable interpretation in light of the prior art and knowledge of one skilled in the art. Accordingly for the purposes of examination the phrase "application" has been interpreted to include any of the following common definitions: software, software module, software component, routine, subroutine, function or the like.

In light of the definition above:

MS Project teaches a system and method wherein the workflow is executed within a first application (MS project – desktop application, MS Project central server (web application, web page, etc.) and the weblog (diary, status update, etc.) is executed within a second application (web browser, web page, email application, etc.; Figures 15.13; 15.17-15.23; Team Status, Pages 25-26)

Clark, USPN 7,062,449, teaches a system and method wherein the workflow is executed within a first application (task processing system; Figure 11; "The collected verb and object data is then processed by a processor database system 412 and is generated into a current task table 414. The verbs (V) and objects (O) of the current task table 414 are then compared with historical verbs and object data from table 416. Table 416 is essentially a look-up table containing information relevant to all project (i.e.

P1, P2, P3, . . .) and task data within the **data processing system** 410. When the

task data processing system 410 determines the current task is associated with a pre-

existing project or task within that project, the processing system 410 **automatically**

begins to update the task and project data of that particular project."; Column 13,

lines 20-27; Figure 2, Element 8) and the workflow status updates are executed within a

second (separate, different, etc.) application ("Another feature of the present invention

relates to the ability to capture task data and **automatically update the project status**

based upon the captured data. FIG. 11 provides a block flow diagram of an automatic

project updating system 400. The automatic project updating system 400 is comprised

of a **task data processing system** 410 and various mediums which may provide data

such as a computer 420, phone or fax machine 430, copier 440, laptop or similar device

(i.e. palm pilot) 450, cell or wireless phone 460, or any other medium which may provide

data.", "Therefore, **project data is continuously and automatically updated as tasks**

are being completed. The **automatic project updating system** 400 enables users to

obtain accurate and **real time data regarding projects and associated tasks** under

that project."; "automatic project update system", emphasis added; Column 13, Lines 5-

14, 27-37; Figure 11, Elements 400, 410; Figure 2, Element 7).

Schwanke, USPN 2003/0018508, teaches a system and method wherein the

workflow is executed within a first application ("workflow engine; Abstract; Paragraphs

10, 12; Figure 5) and the workflow status updates are executed within a second

application (Paragraphs 25, 39; Figure 3; Claim 25).

Udell, Telling a Story, teaches managing a project wherein executed within a first

application (external project management tool) and the weblog is executed within a

second (separation application (Manilla, Blogger, etc.; Second to Last Paragraph, Page

4; Figure on Page 3).

Further it is noted that the number and/or arrangement of the software

("applications", software modules, components or the like) for executing the various

elements of the system/method (e.g. weblog, workflow) simply represents functional

equivalents wherein the method/system steps and results remain the same regardless

of the number/arrangement of the "applications" within the system.

Additionally the choice of one or more applications and/or 'where' the various

portions of the system/method are executed is a simple design choice. For example

component based system development, sometimes referred to commercial off the shelf

(COTS), by definition builds systems using independent applications in communication

with one another to accomplish the desired method/process.

As an example of using an independent/separate application to execute blogs,

including the automated nature of the updates/postings, is also demonstrated in Lindhal

et al., Weblogs: Simplifying Web Publishing (2003):

- "The blogosphere has expanded the roles of both consumers and producers.

Consumers can subscribe to any blogs that interest them simply by linking to them

through a **syndication protocol that automatically updates content.**" (Column 2,

Paragraph 3, Page 114, emphasis added);

"RSS is a multidefined acronym for a well-established XML application that syndicates Web content—automating the advertisement of new content availability and providing a subscription mechanism for consumers."

"RSS periodically **updates the "headlines" for content posted on a blog and updates subscriber "feeds" according to their selected schedule and other preferences**. RSS also **lets content producers automatically distribute their contributions** to the blogosphere community. Subscribers can choose the sources they want to receive, configuring their own electronic newspaper, which they Blogosphere syndication extends beyond users to other blogs. **A personal blog commonly includes headlines from other blogs** and hometown newspaper headlines or up-to-the minute local weather forecasts. By subscribing to a blog, consumers can selectively receive headlines, summaries, and topic-specific articles with little or no direct intervention. Blogging systems have also generated syndication methods for **interblog communication**. Trackback (www.movabletype.org/docs/mttrackback.html) enables eer-to-peer communication and notifications between sites. **It allows blogs to notify each other of new or updated content without administrator intervention**. In addition, trackback enables the chaining of blogs based on specific criteria. Blog aggregation sites are a recent innovation. These sites represent a group consensus for accumulating syndicated content on specific topics. As more automated tools become available, these sites can help make information resources on the Web easier to locate and manage." (Column 1, Page 116; emphasis added).

It is noted that the officially cited facts in the previous office action(s) as presented are herein after prior art.   Specifically it has been established that it was old and well known in the art at the time of the invention:

- to utilize weblog (blogs, bulletin boards, message boards, etc.) when managing projects as more specifically to provide a feed to an aggregator, the aggregator receiving entries from a weblog wherein the feed comprises provided an RSS feed from a plurality of weblogs for syndication is old and very well known wherein such aggregators/RSS feeds provide a simple way to keep users informed of changes in a plurality of web sites, blogs, weblogs or other online content; and

- to enable varying levels of permissions, privileges, authorizations and/or access to various groups (roles) of weblog members.

Claim Rejections - 35 USC § 101

5.   35 U.S.C. 101 reads as follows:

> Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

6.   Claims 1-7 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

A claimed process is eligible for patent protection under 35 U.S.C. § 101 if: "(1) it is tied to a particular machine or apparatus, or (2) it transforms a particular article into a different state or thing. See Benson, 409 U.S. at 70 ('Transformation and reduction of an article 'to a different state or thing' is the clue to the patentability of a process claim that does not include particular machines.'); Diehr, 450 U.S. at 192 (holding that use of mathematical formula in process 'transforming or reducing an article to a different state or thing' constitutes patent-eligible subject matter); see also Flook, 437 U.S. at 589 n.9 ('An argument can be made [that the Supreme] Court has only recognized a process as within the statutory definition when it either was tied to a particular apparatus or operated to change materials to a 'different state or thing' '); Cochrane v. Deener, 94 U.S. 780, 788 (1876) ('A process is...an act, or a series of acts, performed upon the subject-matter to be transformed and reduced to a different state or thing.').7 A claimed process involving a fundamental principle that uses a particular machine or apparatus would not pre-empt uses of the principle that do not also use the specified machine or apparatus in the manner claimed. And a claimed process that transforms a particular article to a specified different state or thing by applying a

fundamental principle would not pre-empt the use of the principle to transform any other article, to transform the same article but in a manner not covered by the claim, or to do anything other than transform the specified article." (In re Bilski, 88 USPQ2d 1385, 1391 (Fed. Cir. 2008)).

Also noted in Bilski is the statement, "Process claim that recites fundamental principle, and that otherwise fails 'machine-or-transformation' test for whether such claim is drawn to patentable subject matter under 35 U.S.C. §101, is not rendered patent eligible by mere field-of-use limitations; another corollary to machine-or-transformation test is that recitation of specific machine or particular transformation of specific article does not transform unpatentable principle into patentable process if recited machine or transformation constitutes mere 'insignificant post-solution activity.'" (In re Bilski, 88 USPQ2d 1385, 1385 (Fed. Cir. 2008)) Examples of insignificant post-solution activity include data gathering and outputting. Furthermore, the machine or transformation must impose meaningful limits on the scope of the method claims in order to pass the machine-or-transformation test. Please refer to the USPTO's "Guidance for Examining Process Claims in view of In re Bilski" memorandum dated January 7, 2009, http://www.uspto.gov/web/offices/pac/dapp/opla/documents/bilski_guidance_memo.pdf .

It is also noted that the mere recitation of a machine in the preamble in a manner such that the machine fails to patentably limit the scope of the claim does not make the claim statutory under 35 U.S.C. § 101, as seen in the Board of Patent Appeals

Informative Opinion Ex parte Langemyr et al. (Appeal 2008-1495),

http://www.uspto.gov/web/offices/dcom/bpai/its/fd081495.pdf .

Claims 1-7 are not tied to a particular machine or apparatus nor do they

transform a particular article into a different state or thing, thereby failing the machine-

or-transformation test; therefore, claims 1-7 are non-statutory under § 101.

Claim Rejections - 35 USC § 103

7.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

8.   Claims 1-7, 10-12 and 13-21 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Microsoft Project 2000 as evidenced by at least Pyron et al., Using

Microsoft Project 2000 (2000; MS Project) in view of Clark, U.S. Patent No. 7,062,449.

       Regarding Claims 1, 10, and 18 MS Project teaches a system and method for

tracking the status of a workflow (project) comprising:

       - instantiating (starting, invoking, enacting, executing, etc.) an instance of a

workflow (project) by a user (e.g. project manager), the user being associated with a

role in the workflow (e.g. project management, team member/resource, etc.) having a

plurality of workflow steps (e.g. project manager vs. team member, etc.; Figures 15.5 –

project members posting project tasks/workflow step status; Bullets 1, 3-5, Page 22;

Figures 15.3, 15.4, 15.5; Personal Gantt, Figures 15.3, 15.45);

       - generating a weblog (log, journal, diary, web page/site, posting, discussion

board, bulletin board, threaded discussion, etc.) to track an instance of the workflow

(project; e.g. Project Central Home Page, messages, posted actions, tasks, etc;. Bullets

1, 3-5, Page 22; Figures 15.3, 15.4, 15.5), - assigning the at least one member to the

weblog (e.g. personal home/project page, workgroups; TeamAssign; Steps 1-6, Pages

108-109; Figures 15.6, 15.8-15.9, 15.45);

- the weblog accessible to weblog (team/project) members wherein members

have the ability to post and view workflow status and weblog comments (notes;

TeamUpdate, Team Status Update, Timesheet – all update project and task status on

the project central web site; Steps 1-4, Page 31; Figures 15.17-15.19; 15.28-15.29,

15.36; project task, Team Status; Steps 1-4, Pages 25-26; Pages 117, 122; Figure

15.15-15.17; Figure 15.36 – responding to a status report);

- posting an entry in the weblog to indicate that a workflow action (project task)

has occurred wherein the entry being physically viewable on a display device to weblog

members (TeamUpdate, Team Status Update, Timesheet; Paragraph 1, Page 118;

Steps 1-4, Page 31; Figures 15.17-15.19; 15.28-15.29, 15.36).

- a display screen, input device and server (website – project central server –

browser; Figures 15.3, 15.10).

MS Project teaches a system and method wherein the workflow is executed

within a first application (MS project – desktop application, MS Project central server

(web application, web page, etc.) and the weblog (diary, status update, etc.) is executed

within a second application (web browser, web page, email application, etc.; Figures

15.13; 15.17-15.23; Team Status, Pages 25-26)

Figure 15.3. The Project Central home page provides an overview of messages, tasks, and status
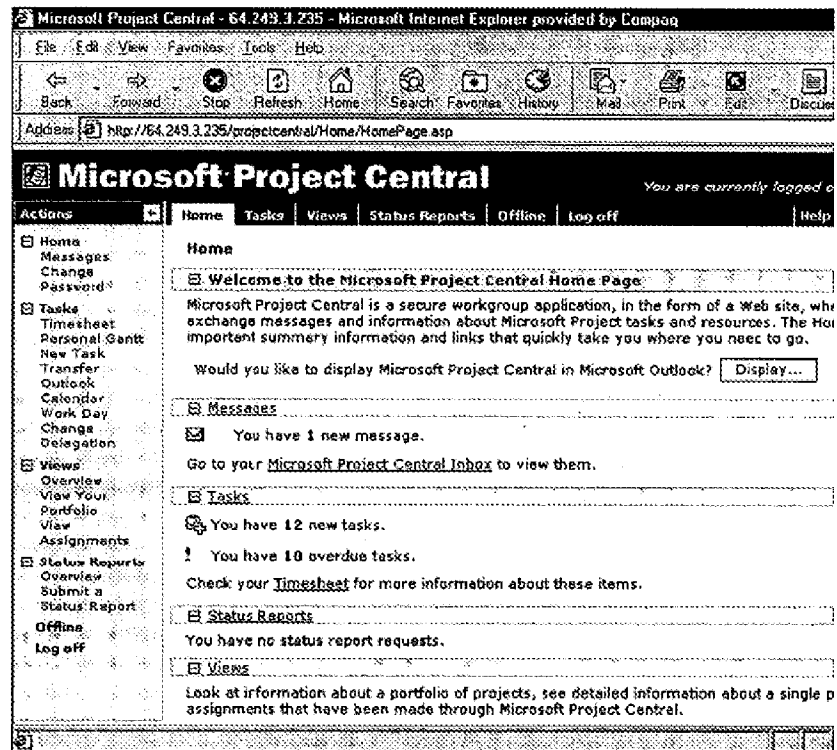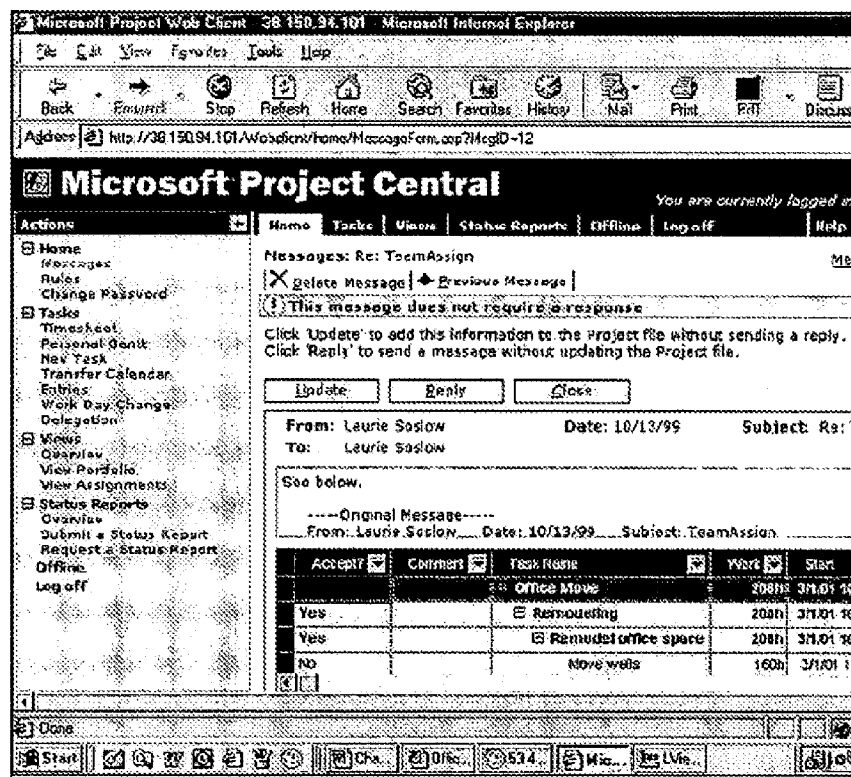
Figure 15.13. The project manager receives this message when a task assignment is declined via Project C:

MS Project does not expressly teach automatically posting an entry in the weblog to indicate that a workflow action as occurred, the entry being physically viewable on a display device to weblog members as claimed.

Clark teaches a system and method for tracking the status of a workflow comprising automatically determining, updating and posting (notifying, logging, recording, etc.) when workflow action status change - specifically automatically logging when a workflow action is completed (Column 13, Lines 5-43; Figure 11, Elements 400, 410) in an analogous art of workflow status/progress tracking for the purpose of

obtaining real-time and/or accurate workflow action status (Column 1, Lines 60-68;

Column 13, Lines 30-36).

Clark further teaches a system and method wherein the workflow is executed

within a first application (task processing system; Figure 11; "The collected verb and

object data is then processed by a processor database system 412 and is generated

into a current task table 414. The verbs (V) and objects (O) of the current task table

414 are then compared with historical verbs and object data from table 416. Table 416

is essentially a look-up table containing information relevant to all project (i.e. P1, P2,

P3, . . .) and task data within the **data processing system** 410. When the task data

processing system 410 determines the current task is associated with a pre-existing

project or task within that project, the processing system 410 **automatically begins to**

update the task and project data of that particular project."; Column 13, lines 20-27;

Figure 2, Element 8) and the workflow status updates are executed within a second

(separate, different, etc.) application ("Another feature of the present invention relates to

the ability to capture task data and **automatically update the project status** based

upon the captured data. FIG. 11 provides a block flow diagram of an automatic project

updating system 400. The automatic project updating system 400 is comprised of a

task data processing system 410 and various mediums which may provide data such

as a computer 420, phone or fax machine 430, copier 440, laptop or similar device (i.e.

palm pilot) 450, cell or wireless phone 460, or any other medium which may provide

data.", "Therefore, **project data is continuously and automatically updated as tasks**

are being completed. The **automatic project updating system** 400 enables users to

obtain accurate and **real time data regarding projects and associated tasks** under

that project."; "automatic project update system", emphasis added; Column 13, Lines 5-

14, 27-37; Figure 11, Elements 400, 410; Figure 2, Element 7).

It would have been obvious to one skilled in the art at the time of the invention

that they system and method for tracking status of a workflow as taught by MS Project

would have benefited from automatically posting an entry in the project to indicate that a

workflow action has occurred in view of the teachings of Clark; the resultant system and

method enabling users to automatically obtain real-time project status (Clark: Column

1, Lines 60-68).

Further since the claimed invention is merely a combination of old elements, and

in the combination each element merely would have performed the same function as it

did separately, and one of ordinary skill in the art would have recognized that the results

of the combination were predictable.

Further it is noted that the number and/or arrangement of the software

("applications", software modules, components or the like) for executing the various

elements of the system/method (e.g. weblog, workflow) simply represents functional

equivalents wherein the method/system steps and results remain the same regardless

of the number/arrangement of the "applications" within the system.

Additionally it is noted that it was known at the time of the invention that merely

providing an automatic means to replace a manual activity which accomplishes the

same result is not sufficient to distinguish over the prior art, In re Venner, 262 F.2d 91,

95, 120 USPQ 193, 194 (CCPA 1958). For example, simply automating the step of

posting an entry in the weblog to indicate that a workflow action has occurred gives you

just what you would expect from the manual step as shown in MS Project. In other

words there is no enhancement found in the claimed step. The claimed scoring step

only provides automating the manual activity. The end result is the same as compared

to the manual method. A computer can simply iterate the steps faster. The result is the

same.

Accordingly it would have been obvious to a person of ordinary still in the art at

the time of the invention to automate the posting an entry in the weblog to indicate that

a workflow action has occurred step because this would speed up the process of

matching policies with customers, which is purely known, and an expected result from

automation of what is known in the art.

While MS project teaches controlling access privileges to the system/method for

tracking workflow status (login/password; Figure on Page 2) neither MS Project nor

Clark expressly teach a first set of weblog members with view only

permissions/privileges and a second set of weblog members with view and post (edit)

permissions/privileges as claimed.

Official notice is taken that it is old and very well known to enable varying levels

of permissions, privileges, authorizations and/or access to various groups (roles) of

weblog members (e.g. readers vs. authors, blog members vs. owners, etc.). As

evidenced by at least the following references:

- Web Crossing, Inc. Releases New Weblog Plug-in (Paragraph 1, Page 1;

Paragraphs 1, 3, Page 2);

- Lindahl et al., Weblogs: Simplifying Web Publishing (Last Bullet, page 115)

- Doctorow et al., Essential Blogging (Last Three Paragraphs, Page 59; Last

Paragraph, Page 60; Last Paragraph, Page 119; Paragraphs 1, 3, Page 120; Figures 3-
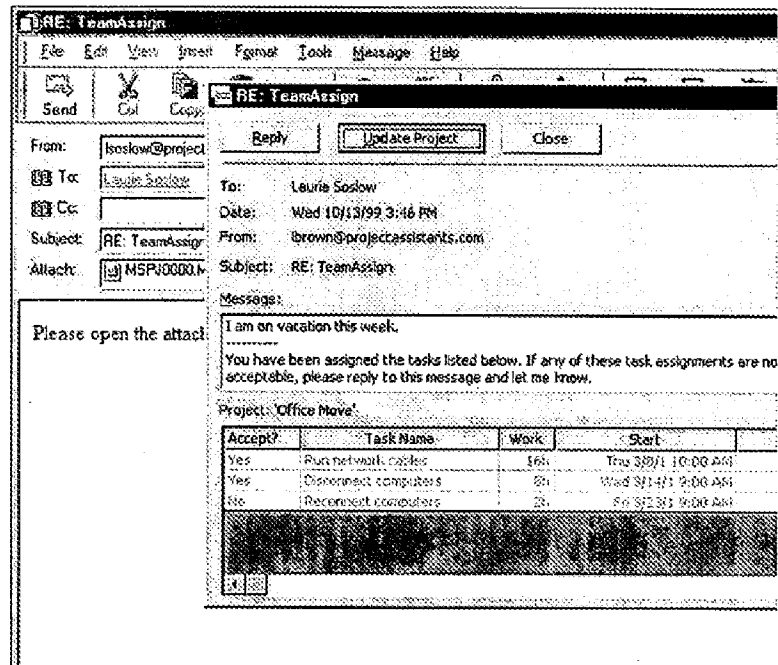
18, 5-25)

It would have been obvious to one skilled in the art at the time of the invention

that the system and method for tracking the status of a workflow via a weblog as taught

by MS Project and Clark would have benefited from the well know practice of access,

privelge, permission control of a weblog wherein a first set of weblog members have

view only permissions/privileges and a second set of weblog members with view and

post (edit) permissions/privileges in view of the teachings of official notice since the

claimed invention is merely a combination of old elements, and in the combination each

element merely would have performed the same function as it did separately, and one

of ordinary skill in the art would have recognized that the results of the combination

were predictable.

Regarding Claim 2 MS Project teaches a system and method for tracking the

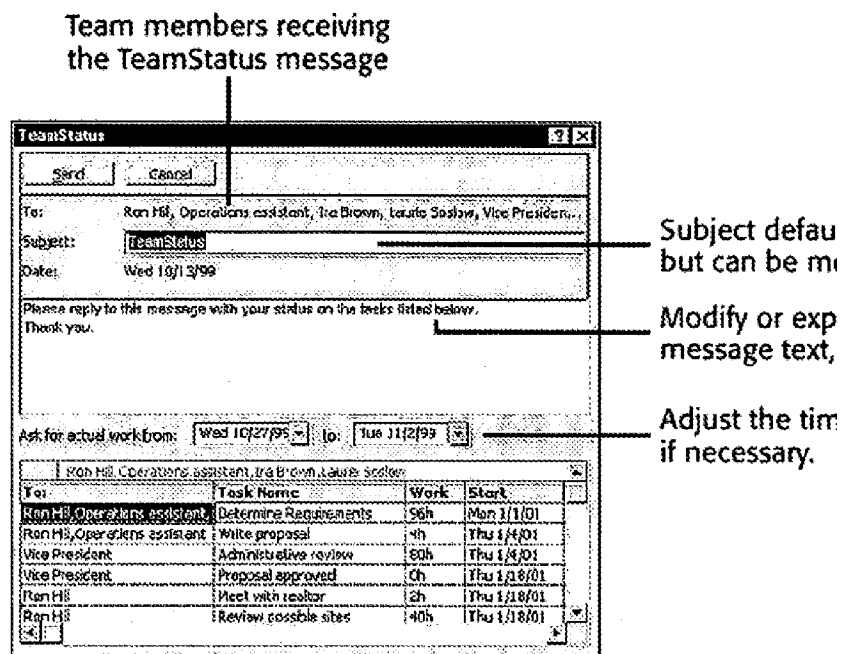status of a workflow wherein the workflow action comprises the completion of a

workflow step (project task, Team Status; Steps 1-4, Pages 25-26; Pages 117, 122;

Figure 15.15-15.17; Figure 15.36 – responding to a status report).

Updating the Project Plan with TeamAssign Replies

Team members receiving
the TeamStatus message

Subject defau
but can be m

Modify or exp
message text,

Adjust the tim
if necessary.

Regarding Claim 3 MS Project teaches a system and method for tracking the

status of a workflow wherein the workflow action comprises the execution of a workflow

exception (status report: hot issues, change requests; late tasks, etc.; Figures 15.21,

15.34, 15.39).

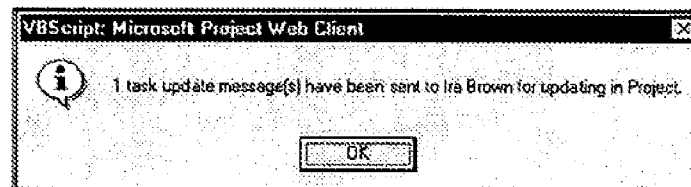Figure 15.21. This icon displays the tracking status of the task.

Regarding Claims 4 and 19 MS Project teaches a system and method for

tracking the status of a workflow further comprising posting an entry in a personal

weblog (journal, diary, web page/site/form, discussion board, bulletin board, etc.) to

indicate that the workflow action (project task) has occurred (TeamUpdate, Team Status

Update, Timesheet – all update project and task status on the project central web site;

Steps 1-4, Page 31; Figures 15.17-15.19; 15.28-15.29, 15.36).

Figure 15.20. This message alerts you that the update has been successfully sent to the proje

VBScript: Microsoft Project Web Client

1 task update message(s) have been sent to Ira Brown for updating in Project.

OK

Regarding Claims 7, 11, and 21 28 MS Project teaches a system and method for

tracking the status of a workflow wherein the posting of an entry in the workflow weblog

(project central web site) is made in response to a posting of an entry in a personal

weblog (e.g. project team members updated their personal Gantt chart and/or project

tasks via their personal project home page which in turn updates the entire project

website/log; TeamStatus; Steps 1-4, Pages 25-26; Pages 117, 122; Figure 15.15-15.17;

Figure 15.36 – responding to a status report).

Regarding Claims 8-9, and 17 MS Project teaches a method and system for

tracking the status of a workflow further comprising limiting viewing of the contents of

the weblog to a plurality of predetermined users wherein the predetermined users

comprise at least one of the at least one members assigned to the weblog (access

control, login, etc.; Figure on Page 20).

Regarding Claims 5-6, 12, 15, 20 and 27 MS Project teaches a system and method for tracking the status of a workflow further comprising aggregating the received entries into a weblog (Microsoft Project Central Home Page, Project Plan, etc.) as discussed above.

MS Project does not expressly teach providing a feed to an aggregator wherein the feed comprises an RSS feed from a plurality of weblogs for syndication.

Official notice is taken that providing a feed to an aggregator, the aggregator receiving entries from a weblog wherein the feed comprises provided an RSS feed from a plurality of weblogs for syndication is old and very well known wherein such aggregators/RSS feeds provide a simple way to keep users informed of changes in a plurality of web sites, blogs, weblogs or other online content.

Support for this officially cited fact can be found in at least the following references:

- White, CMS Implementation-project management (2002; "There is reasonable justification with a project of this scope to use some form of collaborative platform and I have seen a Weblog used quite effectively to keep everyone on a project team informed and involved."; Last Paragraph, Page 3);

- Gillmor, RSS Starting to catch on (2003; Column 2, Paragraphs 1-2; Column 3, Last Two Paragraphs, Page 19); and

- Arnold, Social Software (2003; Column 1, Last Paragraph; Column 2,

  Paragraph 1, Page 30).

It would have been obvious to one skilled in the art at the time of the invention

that the online (web) system and method for tracking the status of a workflow as taught

by the combination of MS Project and Clark would have benefited from utilizing web

feeds/syndication (e.g. RSS) to provide team members with a summary of changes to

the MS Project Central web site/pages (weblog) thereby enabling them to keep current

on the projects status/progress and/or other new project-related information.

9.   Claims 1, 10 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable

over Schwanke, U.S. Patent Publication No. 2003/008508 in view of Udell, Telling a

Story (2001) and further in view of Doctorow et al., Essential Blogging (2002).

        Regarding Claims 1, 10 and 18 Schwanke teaches a system and method for

tracking the status of a workflow (abstract) comprising:

        - instantiating an instance of a workflow by a user, the user being assigned to a

role in the workflow (Paragraphs 6, 41, 86), the workflow having a plurality of steps

(Paragraphs 6-8);

        - tracking the status and communicating (notifying) the status (e.g. completion of

a workflow step/activity/state) an instance of the workflow (status/state tracking;

Abstract; Paragraphs 6, 15, 25; Claim 25; Figure 3) the communication being physically

viewable on a display device to workflow members (roles, participants);

        Schwanke further teaches a system and method wherein the workflow is

executed within a first application ("workflow engine; Abstract; Paragraphs 10, 12;

Figure 5) and the workflow status updates are executed within a second application

(Paragraphs 25, 39; Figure 3; Claim 25).

        While the use and management of weblog (blogs, bulletin boards, web site

postings, forums) is old and well known in project management Schwanke does not

expressly teach employing an application to cause communication between the

workflow and the weblog to automatically post an entry in the weblog to indicate that a

workflow action has occurred as claimed.

Udell, teaches employing an application (to cause communication between the

workflow (project) and the weblog to automatically post an entry in the weblog to

indicate that a workflow action has occurred (Figure on Page 3; Bullets 1-3, Last

Paragraph, Page 3; Paragraphs 2, 4, Bullet 5, Page 4).

Udell further teaches managing a project wherein executed within a first

application (external project management tool) and the weblog is executed within a

second (separation application (Manilla, Blogger, etc.; Second to Last Paragraph, Page

4; Figure on Page 3).

It would have been obvious to one skilled in the art at the time of the invention

that the system and method for tracking the status of a workflow as taught by Schwanke

with its ability to automatically communicate the state/status of the workflow would have

benefited from utilizing any of a plurality of well known communication methods (email,

bulletin boards, etc.) including but not limited to weblogs in view of the teachings of

Udell, since the claimed invention is merely a combination of old elements, and in the

combination each element merely would have performed the same function as it did

separately, and one of ordinary skill in the art would have recognized that the results of

the combination were predictable.

Further it is noted that the number and/or arrangement of the software

("applications", software modules, components or the like) for executing the various

elements of the system/method (e.g. weblog, workflow) simply represents functional

equivalents wherein the method/system steps and results remain the same regardless

of the number/arrangement of the "applications" within the system.

While it is old and very well known that weblog systems enable varying levels of

permissions, privileges, authorizations and/or access to various groups (roles) of

weblog members (e.g. readers vs. authors, blog members vs. owners, etc.). As

evidenced discussed above, neither Schwanke nor Udell expressly teach managing

weblog member permissions as claimed.

Doctorow et al. teach a system and method for creating and managing Weblogs

comprising making the weblog accessible to weblog members, first weblof members

with permissions to view weblog information and second weblog members with

permissions to view weblog information as well as view and post weblog comments

(Last Three Paragraphs, Page 59; Last Paragraph, Page 60; Last Paragraph, Page

119; Paragraphs 1, 3, Page 120; Figures 3-18, 5-25).

It would have been obvious to one skilled in the art at the time of the invention

that the system and method for tracking workflow status as taught by the combination of

Schwanke and Udell, with its ability to communicate (post) workflow status information

on a weblog would have benefited from managing weblog member permissions in view

of the teachings of Doctorow et al., since the claimed invention is merely a combination

of old elements, and in the combination each element merely would have performed the

same function as it did separately, and one of ordinary skill in the art would have

recognized that the results of the combination were predictable.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to SCOTT L. JARRETT whose telephone number is (571)272-7033. The examiner can normally be reached on Monday-Friday, 8:00AM - 5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Beth Boswell can be reached on (571) 272-6704. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Scott L Jarrett/
Primary Examiner, Art Unit 3624